

# EXHIBIT 4

MAR. 24. 2009 12:07PM

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NO. 2723. P. 2

**FAXED**22009 by Junk

At IAS Part 11 of the  
Supreme Court of the State  
of New York, County of  
Nassau, held at the Courthouse,  
100 Supreme Court Drive  
Mineola, New York, on the  
30<sup>th</sup> day of February, 2009.

Present:

HONORABLE LEONARD B. AUSTIN  
Justice

MOTION SEQUENCE # 01  
ORIGINAL RETURN DATE 3/5/09  
RELIEF 005E12

MANUFACTURERS AND TRADERS TRUST  
COMPANY,

Plaintiff,

—against—

J.P.T. AUTOMOTIVE, INC., d/b/a VICTORY  
TOYOTA OF FIVE TOWNS, RICHLIN  
REALTY HOLDINGS, LLC, and RICHARD  
CIRILLO,

Defendants.

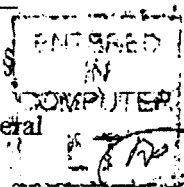
Index No.: 09/002869

**ORDER TO SHOW CAUSE  
AND TEMPORARY  
RESTRAINING ORDER**

L.B. AUSTIN

Upon the Summons and Complaint, dated February 18, 2009, the annexed

Affirmation of Michael Luskin, executed February 18, 2009, the Affidavit of Philip R. Jaskot,  
sworn to February 17, 2009 (the "Jaskot Affidavit"), and the exhibits attached thereto, and the  
Memorandum of Law in Support of Plaintiff's Motion for a Temporary Restraining Order and an  
Order of Seizure, let Defendants show cause before this Court at (IAS) Part 11, to be held at  
the Courthouse, 100 Supreme Court Drive, Mineola, New York, on MARCH 5, 2009, at 930  
A.M. (the "Return Date"), why an Order of Seizure should not be entered pursuant to CPLR §  
7102 directing the Nassau County Sheriff to break open, enter, search for and seize the Collateral



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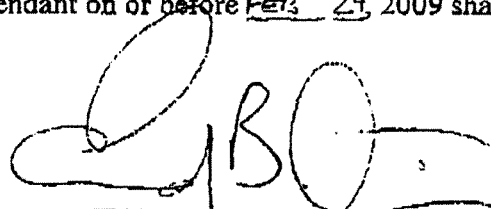
identified in the Jaskot Affidavit, including but not limited to the specific items identified in Exhibit A thereto (the "Collateral"), and awarding Plaintiff such other and further relief as the Court may deem proper.

NOT LATER THAN  
A On FEB. 24, 2009 Plaintiff shall provide an undertaking, pursuant to CPLR § 7102(e), executed by sufficient surety and in the amount of \$ 12,200,000<sup>00</sup>, for the return of the chattel to any person to whom possession is awarded by the judgment, and for payment of any sum awarded by the judgment against the Plaintiff.

Pending the determination of this application, Defendants, their servants, employees, agents, representatives, and all persons acting in concert with them, are hereby restrained and enjoined, pursuant to CPLR § 7102(d)(2), from removing, transferring, dismantling, selling, pledging, or otherwise disposing of or permitting to become subject to a security interest or lien the Collateral in any manner inconsistent with Plaintiff's interest in the Collateral.

Service of a copy of this order and a copy of the papers upon which it is granted by ~~overnight courier~~ personal service pursuant to CPLR 308(1) or (2) and 311 on the Defendant on or before FEB. 24, 2009 shall be deemed sufficient service.

ENTER.

  
Justice, Supreme Court